

IN THE CIRCUIT COURT OF MINGO COUNTY, WEST VIRGINIA

ROGER RAY,
Plaintiff,

vs.

CIVIL ACTION NO.: 18C- 150

ASHLEE TRANSPORT, INC.,
a foreign corporation, and
TERRY HARDIN,

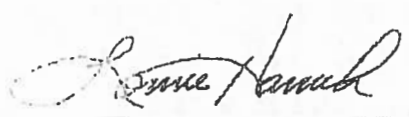
Defendants.

TO: ASHLEE TRANSPORT, INC.
P. O. BOX 67
LOUISA, KY 41230

SERVE: LARRY D. WRIGHT
1109 CHERRY KNOLL ROAD
LOUISA, KY 41230

IN THE NAME OF THE STATE OF WEST VIRGINIA, you are hereby summoned and required to serve upon A. J. Ryan, plaintiff's Attorney, whose address is 130 West 2nd Avenue, Williamson, West Virginia 25661, an Answer, including any related counterclaim you may have, to the complaint filed against you in the above-styled civil action, a true copy of which is herewith delivered to you. You are required to serve your answer within 30 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint and you will be thereafter barred from asserting in another action any claim you may have which must be asserted by counterclaim in the above styled action.

Dated: 11/28/18


Clerk of the Court



IN THE CIRCUIT COURT OF MINGO COUNTY, WEST VIRGINIA**CIVIL CASE INFORMATION STATEMENT**
(Civil Cases Other than Domestic Relations)**I. CASE STYLE:**Case No. 18C- 150**Plaintiff(s)**Judge: THOMPSONROGER RAY169 SHIRLEY JUNE AVENUEDELBARTON, WV 25670

vs.

**Days to
Answer****Type of Service****Defendant(s)**30SECRETARY OF STATEASHLEE TRANSPORT, INC

Name

P. O. BOX 67

Street Address

LOUISA, KY 41230

City, State, Zip Code

II. TYPE OF CASE:

- | | |
|--|---|
| <input checked="" type="checkbox"/> General Civil | <input type="checkbox"/> Adoption |
| <input type="checkbox"/> Mass Litigation [As defined in T.C.R. 26.04(a)] | <input type="checkbox"/> Administrative Agency Appeal |
| <input type="checkbox"/> Asbestos | <input type="checkbox"/> Civil Appeal from Magistrate Court |
| <input type="checkbox"/> FELA Asbestos | <input type="checkbox"/> Miscellaneous Civil Petition |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Mental Hygiene |
| <input type="checkbox"/> Habeas Corpus/Other Extraordinary Writ | <input type="checkbox"/> Guardianship |
| <input type="checkbox"/> Other: _____ | <input type="checkbox"/> Medical Malpractice |


III. JURY DEMAND: ☒ Yes ☐ No CASE WILL BE READY FOR TRIAL BY (Month/Year): / **IV. DO YOU OR ANY
OF YOUR CLIENTS
OR WITNESSES
IN THIS CASE
REQUIRE SPECIAL
ACCOMMODATIONS?**☐ Yes ☒ No**IF YES, PLEASE SPECIFY:**

- ☐ Wheelchair accessible hearing room and other facilities
- ☐ Reader or other auxiliary aid for the visually impaired
- ☐ Interpreter or other auxiliary aid for the deaf and hard of hearing
- ☐ Spokesperson or other auxiliary aid for the speech impaired
- ☐ Foreign language interpreter-specify language: _____
- ☐ Other: _____

Attorney Name: A. J. RYANFirm: RYAN & RYANAddress: P. O. BOX 1196, WILLIAMSON, WV 25661Telephone: (304) 235-7510

Representing:

- ☒ Plaintiff ☐ Defendant
- ☐ Cross-Defendant ☐ Cross-Complainant
- ☐ 3rd-Party Plaintiff ☐ 3rd-Party Defendant

☐ Proceeding Without an AttorneyOriginal and 1 copies of complaint enclosed/attached.Dated: 11 / 28 / 2018Signature: 

Plaintiff: ROGER RAY, et al

Case Number: 18C-150

vs.

Defendant: ASHLEE TRANSPORT, INC, et al

**CIVIL CASE INFORMATION STATEMENT
DEFENDANT(S) CONTINUATION PAGE**

TERRY HARDIN

Defendant's Name

HWY 707 BOX 8885

Street Address

CATLETTSBURG, KY 41129

City, State, Zip Code

Days to Answer: 20

Type of Service: CERTIFIED MAIL

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

Defendant's Name

Street Address

City, State, Zip Code

Days to Answer: _____

Type of Service: _____

IN THE CIRCUIT COURT OF MINGO COUNTY, WEST VIRGINIA

ROGER RAY,

Plaintiff,

v.

CIVIL ACTION NO. 18-C- 150
JUDGE THOMPSON

ASHLEE TRANSPORT, INC., a foreign corporation,
Terry Hardin, a Kentucky resident,

Defendants.

COMPLAINT

Plaintiff Roger Ray, by counsel, for his Complaint against Ashlee Transport, Inc. and Terry Hardin, alleges and says as follow:

1. That the Plaintiff Roger Ray is a citizen and resident of Lenore, Mingo County, West Virginia.
2. That Defendant Ashlee Transport Inc., a Kentucky Corporation, is a Kentucky Transport Company engaged in the business of freight shipping and trucking, and at all times material hereto was the owner of a 2001 Peterbilt Tractor Trailer.
3. That Defendant Terry Hardin is a citizen and resident of Kentucky, and at all times material hereto was operating said 2001 Peterbilt Tractor Trailer.
4. That on or about January 19, 2018, Plaintiff Roger Ray was riding as a guest passenger in a 2007 Ford F-150 Pickup Truck being operated by Samantha Stepp, traveling toward Delbarton on U.S. Route 65 in Mingo County, West Virginia, when their vehicle was struck, causing severe damage, by the 2001 Peterbilt Tractor Trailer owned by Defendant Ashlee Transportation, Inc. and operated by Defendant Terry Hardin traveling on U.S. Route 119 toward Route 65 in Mingo County, West Virginia.

5. That more specifically, Defendant Terry Hardin was negligently, carelessly and recklessly operating the 2001 Peterbilt Tractor Trailer at a high rate of speed in a steep curve in violation of the West Virginia highway traffic safety laws and rules.

6. That jurisdiction and venue are proper in this Court pursuant to West Virginia Code §§ 51-2-2 and 56-1-1 (2008) as the amount in controversy exceeds the minimum amount and the Defendants' negligent conduct occurred in Mingo County, West Virginia.

7. That the violent collision caused by the negligence and carelessness of Defendants resulted in causing serious and permanent injury to Plaintiff as described herein which has required medical and hospital treatment and procedures and has resulted in a vocational disability.

8. That as a direct and proximate result of the negligence and carelessness of the Defendants, Plaintiff Roger Ray was seriously injured in the area of his neck and upper and lower back.

9. That following the crash, Plaintiff Roger Ray presented at Williamson Memorial Hospital where Plaintiff was evaluated and advised that he had acute cervical and lumbar spine sprain.

10. That thereafter, Plaintiff presented at Dr. Mansoor Mahmood's office, where he complained of pain in neck and upper and lower back. Upon evaluation, it was noted that he had cervical strain, acute lumbosacral strain, strain thoracic spine, and right shoulder strain.

11. That as a further direct and proximate result of the negligence and carelessness of the Defendant, the Plaintiff has in the past, and will in the future, endure acute lumbosacral strain and cervical strain.

12. As a further direct and proximate result of the negligence and carelessness of

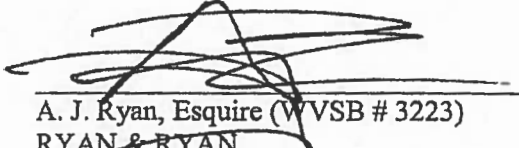
Defendants, the Plaintiff has experienced in the past and will continue in the future the following:

- a. Physical pain;
- b. Physical and vocational disability;
- c. Loss of enjoyment of life;
- d. Emotional distress;
- e. Medical, hospital and pharmacy expenses; and
- f. Annoyance and inconvenience.

WHEREFORE, Plaintiff Roger Ray respectfully demands judgment against Defendants, jointly and severally, in accordance with the laws of the State of West Virginia, together with pre-judgment and post-judgment interest, costs and attorney's fees and all other relief to which the Court deems the Plaintiff is entitled.

A JURY TRIAL IS DEMANDED.

ROGER RAY,
By Counsel,



A. J. Ryan, Esquire (WVSB # 3223)
RYAN & RYAN
P.O. Box 1196
Williamson, WV 25661
(304) 235-7510